

REMARKS/ARGUMENTS

Applicants note with appreciation the thorough review of the present application as evidenced by the Official Action. In light of the subsequent remarks, Applicants respectfully traverse this rejection.

The Rejection of the Claims Under 35 U.S.C. § 103(a) is Overcome

The Official Action rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,415,138 to Sirola et al. in view of U.S. Patent No. 5,584,054 to Tyneski et al. In addition, claims 9-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sirola '138 patent in view of U.S. Patent No. 6,463,263 to Feilner et al. As described below, however, none of the cited references, taken either individually or in combination teach or suggest the flexible cover, semi-rigid cover, or button configuration for a mobile station as recited in independent claims 1, 9 and 12, respectively.

The Sirola '138 patent discloses a wireless communication device that includes a housing and a touch sensitive display coupled to the housing. The display includes activation areas that activate the functions of the wireless communication device. In addition, a cover part is coupled to the housing and arranged to move in relation to the display such that when the cover part is in the closed position, the activation means of the cover part is arranged to transmit the pressing of the activation means to the corresponding portion of the activation area of the display. See Col. 1, lines 7-18. Advantageously, the activation means of the cover part is made of a completely transparent and flexible foil-like material. Thus, the cover part protects the entire touch sensitive display and makes it possible to read the display without opening the cover. See Col. 3, lines 18-40. The thickness of the activation means can vary such that bossages or pimples can be formed on the surface of the activation means that faces the display to make contact between the activation means and the display. See Col. 5, lines 12-16. Thus, by pressing, such as with a finger, on the foil-like activation means, toward the display, the activation means bends elastically and moves perpendicularly toward the display. See Col. 5, lines 57-64. Furthermore, the cover part is arranged rotatable in relation to the housing by means of a hinge, such that the

cover part can be turned away from the display and the display can be touched directly without the contact of the activation means. See Col. 6, lines 17-22.

The Tyneski '054 patent discloses a portable communication device (i.e., handset) that provides two-way voice communication along with a personal organizer. The handset includes a housing, and a front cover (i.e., flap) coupled to the housing through a hinge. See Col. 1, lines 38-47. The flap has keys to provide the functions associated with cordless telephones and a display window for displaying scrolled menus and information generated when the keys are pressed. See Col. 1, lines 47-63. The flap therefore completely covers the underlying display or lens of the handset. See Figures 1 and 2. The hinge includes a sensor switch that detects movement of the flap between the open position and closed position. Thus, the hinge sensor sends appropriate signals to a controller that allows the handset to operate as a telephone when the flap is in the closed position and as a personal organizer when the flap is in the open position. See Col. 1, line 64 to Col. 2, line 7. The inside of the flap has pressure surfaces that are aligned with a corresponding activation area of the underlying handset when the flap is in the closed position. As such, when a key is actuated from the front of the closed flap, pressure is applied to the corresponding portion of the activation area. See Col. 2, lines 28-41.

The Feilner '263 patent describes a communication station, such as a mobile telephone, that is divided into a core unit, which includes all electrical parts, a shell unit enclosing the core unit, and a power supply unit. The shell unit can therefore have many different designs and can easily be mounted around the core unit since no connection of electrical parts is necessary. The core unit also includes a keypad unit made of multiple switches. The switches are formed by at least two spiral-shaped adjacent conductors on an electronic circuit board and bumps provided on a dome foil of the keypad unit to short-circuit the spiral shaped conductor at different positions. See Col. 4, lines 19-44. A soft keypad, preferably made of rubber, is inserted between the front housing and the core unit at a position matching the keypad unit. The soft keypad includes some buttons that extend through holes provided in the front housing. See Col. 4, lines 53-58 and Col. 11, lines 7-12. The shell unit includes a front housing and a back housing, which can be screwed together to sandwich the core unit between the front and back housing. It is also

possible to snap the core unit into the back housing, then to snap the front housing into the back housing with suitable clamps, clips, latches or catches. See Col. 6, line 62 to Col. 7, line 3.

In contrast to the patents described above, the elastomeric cover of independent claim 1 includes a front surface with a translucent portion that can be mounted over the button portion of a mobile station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover. Thus, as shown in Figure 1, the elastomeric cover 107, in conjunction with the back cover 109, provides protection to the front cover 105, the mobile station chassis 101 and the battery 103. The front cover includes a button portion 202 that is also protected by the elastomeric cover. A display 102 is provided in the mobile station chassis 101 and the front cover 105 includes a lens 201 that is superimposed over the display when the front cover is mated to the mobile station chassis. Figure 2b shows how a lens may be elevated from the surrounding surface of the front cover, such that a rim (i.e., perimeter grip 321, see Figure 3) of the elastomeric cover may fit about the lens. Figures 1 and 3 also illustrate the at least one strap of the elastomeric cover. For example, as recited on page 5, lines 15-18, with reference to Figure 3, a first strap 351 and a second strap 352 may encircle the front cover. As such, the elastomeric cover may be slid around a front cover, mobile station chassis, and back cover assembly to hold the back cover in place against the combined chassis and front cover, thus holding the assembly together in a manner similar to the use of a rubber band. See page 5, lines 25-28. Thus, when the elastomeric cover is slid around a front cover, mobile station chassis, and back cover assembly, the elastomeric cover securely seals the assembly, including the button portion of the front cover, against outside elements that could otherwise reach the mobile station chassis and/or battery.

In addition, the semi-rigid cover of independent claim 9 includes a transparent lens supported over the display of a mobile station, at least one lever arm supporting at least one key-top over at least one key-dome switch of the mobile station, and at least one fastening means. Thus, as shown in Figure 2a and as described on page 4, lines 20-32, of the specification, the front cover 200 includes a button portion 202 connected to the lens 201. The button portion of the front cover includes lever arms 203, 205, and 207 that may provide a support for key-tops

213, 215 and 217, which are positioned above key-domes 223, 225, and 227 on a mobile station or circuit board.

Furthermore, the button configuration for a mobile station of independent claim 12 includes a key-dome switch, a key-top supported over the key-dome switch, and a substantially flat elastomeric sheet extending over the key-top. Thus, as described above, the elastomeric cover securely seals the mobile station, including the button portion of the mobile station. As such, an elastomeric sheet extends over the key-tops 213, 215 and 217 of the front cover, which are positioned above key-domes 223, 225, and 227 on a mobile station or circuit board.

Regarding independent claim 1, none of the cited references taken either individually or in combination, disclose an elastomeric cover that includes a front surface with a translucent portion that can be mounted over the button portion of a mobile station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover. While the Sirola '138 patent discloses a wireless communication device that includes a transparent cover part coupled to the housing and arranged to move in relation to the display such that when the cover part is in the closed position, the activation means of the cover part is arranged to transmit the pressing of the activation means to the corresponding portion of the activation area of the underlying device display (Col. 1, lines 7-18), the Sirola '138 patent does not disclose any type of strap or any type of rim that may be stretched to hold a lens portion as recognized by the Official Action and as recited by independent claim 1. The cover part of the Sirola '138 patent is arranged rotatable in relation to the housing by means of a hinge (Col. 6, lines 17-22), which is a different arrangement than a cover that attaches to the device via a strap as recited by independent claim 1. In fact, the cover part of the Sirola '138 patent would not work with a strap that encircles the device because then the cover part would not be rotatable in relation to the housing of the device in order to access the display of the underlying device, which is stated as an advantageous feature of the cover part described in the Sirola '138 patent (Col. 6, lines 17-22). Furthermore, the cover part of the Sirola '138 patent covers the entire touch sensitive display of the underlying device (Col. 3, lines 18-40), such that there is no rim that may be stretched to hold a lens portion as recited by independent claim 1.

The Tyneski '054 patent also discloses a front cover (i.e., flap) coupled to the housing of a handset through a hinge. See Col. 1, lines 38-47. The hinge includes a sensor switch that detects movement of the flap between the open position and closed position such that the hinge sensor sends appropriate signals to a controller that allows the handset to operate as a telephone when the flap is in the closed position and as a personal organizer when the flap is in the open position. See Col. 1, line 64 to Col. 2, line 7. Therefore, the Tyneski '054 patent also does not disclose any type of strap or any type of rim that may be stretched to hold a lens portion as recited by independent claim 1. Because the flap of the Tyneski '054 patent is coupled to the housing through a hinge (Col. 6, lines 17-22), the Tyneski '054 patent discloses a different arrangement than a cover that attaches to the device via a strap that encircles the device as recited by independent claim 1. In fact, the flap of the Tyneski '054 patent would not work with a strap that encircles the device because then the flap could not include the sensor switch in the hinge that sends appropriate signals to a controller such that the handset operates properly depending on whether the flap is open or closed. Furthermore, the flap of the Tyneski '054 patent also covers the entire display or lens of the underlying handset, such that there is no rim that may be stretched to hold a lens portion as recited by independent claim 1.

Additionally, the Feilner '263 patent does not disclose any type of elastomeric cover as recited by independent claim 1 because the Feilner '263 patent describes only a communication station that is divided into a core unit, which includes all electrical parts, a shell unit enclosing the core unit, and a power supply unit. The shell unit, therefore, is simply a front and/or back cover that is mounted around the core such as by screwing together the front and back covers to sandwich the core unit between the front and back housing or by snapping the core unit into the back housing, then to snapping the front housing into the back housing with suitable clamps, clips, latches or catches. See Col. 6, line 62 to Col. 7, line 3. Thus, the Feilner '263 patent also does not disclose an elastomeric cover that includes a front surface with a translucent portion that can be mounted over the button portion of a mobile station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover as recited by independent claim 1.

Since none of the cited references teach or suggest an elastomeric cover that includes a front surface with a translucent portion that can be mounted over the button portion of a mobile

station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover, any combination of the references would also fail to teach or suggest an elastomeric cover that includes a front surface with a translucent portion that can be mounted over the button portion of a mobile station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover, as recited by independent claim 1.

Regarding independent claim 9, none of the cited references taken either individually or in combination, disclose a semi-rigid cover that includes a transparent lens supported over the display of a mobile station, at least one lever arm supporting at least one key-top over at least one key-dome switch of the mobile station, and at least one fastening means. While each of the Sirola '138, Tyneski '054 and Feilner '263 patents disclose devices having covers that include displays or lenses and activation areas, none of the references disclose any type of lever arm that support a key-top as recited by independent claim 9. In particular, neither the Sirola '138 patent nor Tyneski '054 patent describe key-tops associated with a cover of a mobile station because each of those patents states that the activation area of the cover of the underlying device is preferably a touch-sensitive screen. As recognized by the Official Action, the Sirola '138 patent makes no mention of key-tops, let alone lever arms to support key-tops. Although the Tyneski '054 patent discloses that the flap over the cover of the device may include keys, the Tyneski '054 patent does not mention any type of lever arm for supporting the key-top. Furthermore, the keys of the flap are not over key-dome switches as recited in independent claim 9 because the inside of the flap has pressure surfaces that are aligned with a corresponding activation area, i.e., the touch-sensitive screen, of the underlying handset when the flap is in the closed position such that when a key is actuated from the front of the closed flap, pressure is applied to the corresponding portion of the activation area, i.e., the touch-sensitive screen. See Col. 2, lines 28-41. In addition, while the Feilner '263 patent discloses a communication station with a keypad unit made of multiple switches that are formed by at least two spiral-shaped adjacent conductors on an electronic circuit board and bumps provided on a dome foil of the keypad unit and a soft keypad inserted between the front housing and the core unit at a position matching the keypad unit, the Feilner '263 patent also does not disclose any type of support for the key-tops, let alone a lever arm for support of the key-tops, as recited by independent claim 9. Therefore, none of

the cited references taken either individually or in combination disclose the semi-rigid cover of independent claim 9.

Since none of the cited references teach or suggest a semi-rigid cover that includes a transparent lens supported over the display of a mobile station, at least one lever arm supporting at least one key-top over at least one key-dome switch of the mobile station, and at least one fastening means, any combination of the references would also fail to teach or suggest the semi-rigid cover that includes a transparent lens supported over the display of a mobile station, at least one lever arm supporting at least one key-top over at least one key-dome switch of the mobile station, and at least one fastening means, as recited by independent claim 9.

Regarding independent claim 12, none of the cited references taken either individually or in combination, disclose a button configuration for a mobile station that includes a key-dome switch, a key-top supported over the key-dome switch, and a substantially flat elastomeric sheet extending over the key-top. Again, neither the Sirola '138 patent nor Tyneski '054 patent describe key-tops associated with a cover of a mobile station because each of those patents states that the activation area of the cover of the underlying device is preferably a touch-sensitive screen. In particular, the Sirola '138 patent makes no mention of key-tops, buttons, or key dome switches, let alone an elastomeric sheet extending over the key-tops. The Sirola '138 patent only discloses that the thickness of the activation means of the cover part can vary such that bossages or pimples can be formed on the surface of the activation means that faces the display of the underlying device to make contact between the activation means and the display. See Col. 5, lines 12-16. Thus, by pressing, such as with a finger, on the foil-like activation means, toward the display, the activation means bends elastically and moves perpendicularly toward the display. See Col. 5, lines 57-64. The activation means of the cover part and the activation area of the display of the underlying device are therefore very different from the button configuration that includes a key-dome switch, a key-top supported over the key-dome switch and a substantially flat elastomeric sheet extending over the key-top as recited by independent claim 12.

In addition, although the Tyneski '054 patent discloses that the flap may include keys, the Tynesdki '054 patent does not mention any type of key dome switch under the key-top or any type of elastomeric sheet extending over the key-tops as recited by independent claim 12. As

stated above, the keys of the flap are not over key-dome switches because the inside of the flap has pressure surfaces that are aligned with a corresponding activation area, i.e. the touch-sensitive screen, of the underlying handset when the flap is in the closed position such that when a key is actuated from the front of the closed flap, pressure is applied to the corresponding portion of the activation area, i.e., the touch-sensitive screen. See Col. 2, lines 28-41. Thus, the key-tops described in the Tyneski '054 patent are over an activation area described as a touch-sensitive screen, not over key-dome switches as recited in independent claim 12. The key-tops described in the Tyneski '054 patent are also on the outer flap of the handset, such that there is no further covering over the key-tops, unlike the elastomeric sheet that covers the key-tops as recited by independent claim 12.

Since none of the cited references teach or suggest a button configuration for a mobile station that includes a key-dome switch, a key-top supported over the key-dome switch, and a substantially flat elastomeric sheet extending over the key-top, any combination of the references would also fail to teach or suggest the button configuration for a mobile station that includes a key-dome switch, a key-top supported over the key-dome switch, and a substantially flat elastomeric sheet extending over the key-top, as recited by independent claim 12.

Furthermore, while the Feilner '263 patent discloses a communication station with a keypad unit made of multiple switches that are formed by at least two spiral-shaped adjacent conductors on an electronic circuit board and bumps provided on a dome foil of the keypad unit and a soft keypad inserted between the front housing and the core unit at a position matching the keypad unit, the Feilner '263 patent also does not disclose any type of elastomeric sheet that covers the key-tops as recited by independent claim 12. In addition, there is no motivation or suggestion either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine the cited references such that it would not have been obvious to one of ordinary skill in the art to combine the Feilner '263 patent and the Sirola '138 patent to produce the button configuration as recited in independent claim 12. Because the Sirola '138 patent describes only a touch-sensitive display without any type of keys and the Feilner '263 patent describes keys without any type of covering, there is no motivation or suggestion in either the Feilner '263 patent or the Sirola '138 patent to cover key-tops with an elastomeric sheet as

recited by independent claim 12. Therefore, none of the cited references taken either individually or in combination disclose the button configuration of independent claim 12.

Accordingly, none of the references, taken either individually or in combination, taken either individually or in combination teach or suggest the flexible cover, semi-rigid cover, or button configuration for a mobile station as recited in independent claims 1, 9 and 12, respectively. At a minimum, none of the cited references, taken either individually or in combination, teach or suggest an elastomeric cover that includes a front surface with a translucent portion that can be mounted over the button portion of a mobile station, at least one strap, and at least one rim that may be stretched to hold a lens portion of the cover as recited by independent claim 1, a semi-rigid cover that include a transparent lens supported over the display of a mobile station, at least one lever arm supporting at least one key-top over at least one key-dome switch of the mobile station, and at least one fastening means as recited by independent claim 9, or a button configuration for a mobile station that includes a key-dome switch, a key-top supported over the key-dome switch, and a substantially flat elastomeric sheet extending over the key-top as recited by independent claim 12. Since the independent claims are patentably distinct from the cited references, taken either individually or in combination, the claims that depend therefrom are also patentably distinct from the cited references for at least the same reasons since the dependent claims include each of the elements of a respective independent claim. Consequently, Applicant submits that, for at least those reasons set forth above, the rejections of the claims under 35 U.S.C. § 103(a) are therefore overcome.

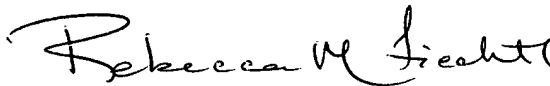
CONCLUSION

In view of the remarks presented above, it is respectfully submitted that the set of claims is in condition for immediate allowance. Applicants respectfully request reconsideration of the present application and issuance of a Notice of Allowance. In the event that any additional issues arise, however, Applicants request that the Examiner contact Applicants' undersigned attorney to expedite the examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper.

However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

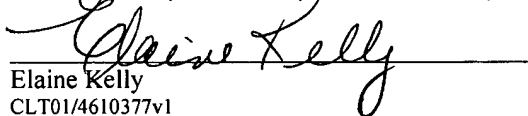


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CLT01/4610377v1